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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

IN RE CLEANSPARK, INC. DERIVATIVE
LITIGATION,

This Document Relates to:
ALL ACTIONS.

Case No.: 2:21-cv-01004-GMN-BNW

**JOINT STIPULATION AND ORDER
SETTING BRIEFING SCHEDULE
FOR DEFENDANTS' MOTION TO
DISMISS**

Plaintiffs Andrea Ciceri and Mark Perna ("Plaintiffs"), derivatively on behalf of Nominal Plaintiff CleanSpark, Inc. ("CleanSpark") and Defendants Zachary K. Bradford, Lori L. Love, S. Matthew Schultz, Larry McNeill, Thomas L. Wood, Roger P. Beynon (the "Individual Defendants"), and Nominal Defendant CleanSpark (together with the Individual Defendants, "Defendants") (collectively, with Plaintiffs, the "Parties"), by and through their undersigned counsel, hereby enter into the following stipulation and proposed order:

WHEREAS, on April 14, 2023, this Court granted the Parties' Joint Stipulation and [Proposed] Order Setting Briefing Schedule for Defendants' Motion to Dismiss and (1) extended

Plaintiff's deadline to oppose Defendants' motion to dismiss the complaint until on or before May 22, 2023, and (2) extended Defendants' deadline to reply in support of their motion to dismiss the complaint until on or before June 7, 2023; and

WHEREAS, the Parties agree to extend the deadline for Plaintiffs to oppose Defendants' motion to dismiss the complaint until on or before June 12, 2023; and

WHEREAS, the Parties agree to extend the deadline for Defendants to reply in support of their motion to dismiss the complaint until on or before July 13, 2023.

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by the Parties hereto, through their undersigned counsel, subject to the approval of the Court, as follows:

1. Plaintiffs' deadline to oppose Defendants' motion to dismiss the complaint is extended until on or before June 12, 2023.

2. Defendants' deadline to reply in support of their motion to dismiss the complaint is extended until on or before July 13, 2023.

3. Other than as agreed herein, the Parties reserve all rights.

DATED: May 22, 2023

DATED: May 22, 2023

WILK AUSLANDER LLP

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ORDER

6 **IT IS SO ORDERED.**

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9 **UNITED STATES DISTRICT COURT**
10 **JUDGE**

11 **DATED:** May 22, 2023
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